

Remarks

Claims 2, 3, and 5-8 are pending in the subject application. By this Amendment, claims 2 and 5 have been amended. No new matter has been introduced by these amendments. Upon entry of these amendments, claims 2, 3, and 5-8 will be before the Examiner. Favorable consideration of the pending claims is respectfully requested.

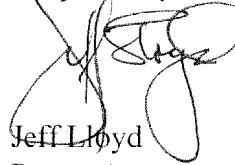
Claims 2, 3 and 5-8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kondo *et al.* (U.S. Pat. Pub. No. 2002/0061722) in view of Kilham *et al.* (U.S. 4,529,306). Applicant respectfully requests reconsideration. Applicant appreciates Examiner's explanation for the maintaining of this rejection in the section entitled "Response to Arguments." Accordingly, claims 2 and 5 have been amended to clarify that the cross-section image is of the entire by-pass or slurry in the by-pass. Support for these amendments can be found, at least, at paragraph [0018] and Fig. 3A. Therefore, Applicant respectfully requests that this rejection be withdrawn.

In view of the foregoing remarks and amendments to the claims, Applicant believes that the claims as currently pending are in condition for allowance, and such action is respectfully requested.

Applicant invites the Examiner to call the undersigned if clarification is needed on any of this response, or if the Examiner believes a telephonic interview would expedite the prosecution of the subject application to completion.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 or 1.17 as required by this paper to Deposit Account 19-0065.

Respectfully submitted,



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